

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR §1.63)	Attorney Docket No.	SPECT1041US0
	First Inventor	Bhupal Kanaiyalal Dharia
	SC/Serial No.	09/750,592
	Filing Date (mm/dd/yyyy)	12/28/2000 /
	Group Art Unit	
	Examiner Name	

DECLARATION SUBMITTED
<input type="checkbox"/> Declaration Submitted with Initial Filing, OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)


DECLARATION						
<p>As a below named inventor, I hereby declare that:</p> <p>My residence, mailing address and citizenship are as stated below next to my name.</p> <p>I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:</p> <div style="border: 1px solid black; padding: 5px; text-align: center;">SYSTEM FOR FAST MACRODIVERSITY SWITCHING IN MOBILE WIRELESS NETWORKS</div> <p style="text-align: center;"><i>(Title of the Invention)</i></p> <p>the specification of which {check (✓) applicable ones}:</p> <table border="1" style="width: 100%;"><tr><td style="width: 5%; text-align: center;"><input type="checkbox"/></td><td>is attached hereto;</td></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td>was filed with the above-identified "SC/Serial No." and "Filing Date" (national or PCT international);</td></tr><tr><td style="text-align: center;"><input type="checkbox"/></td><td>was amended on _____ (mm/dd/yyyy).</td></tr></table> <p>I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.</p> <p>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR* 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.</p>	<input type="checkbox"/>	is attached hereto;	<input checked="" type="checkbox"/>	was filed with the above-identified "SC/Serial No." and "Filing Date" (national or PCT international);	<input type="checkbox"/>	was amended on _____ (mm/dd/yyyy).
<input type="checkbox"/>	is attached hereto;					
<input checked="" type="checkbox"/>	was filed with the above-identified "SC/Serial No." and "Filing Date" (national or PCT international);					
<input type="checkbox"/>	was amended on _____ (mm/dd/yyyy).					


*Copies of the following were provided for review by the Inventors before signing this DECLARATION:
37 CFR §1.56,

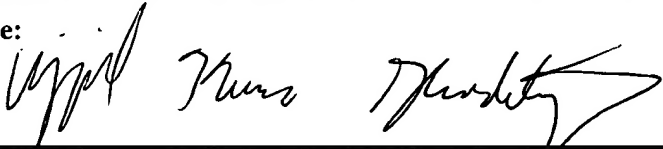
(z-del_dutyCFR)


CORRESPONDENCE ADDRESS		
Name/Address	Customer No/Bar Code	Communication
David E. Lovejoy 4 Embarcadero Ctr., Suite 400 San Francisco, CA 94111-4156	21603 	Tel: (415) 362-3800 Fax: (415) 362-2928 e-mail: del@fdml.com

TRUE STATEMENTS	18 USC §1001
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.	

Sole or First Joint Inventor					Check here <input type="checkbox"/> if a petition has been signed for this unsigned inventor.
Name:	Given (first and middle, if any): Bhupal Kanaiyalal		Family or Surname: Dharia		
Inventor's Signature: (Signed as typed above) 				Signature Date: (mm/dd/yyyy) 2/26/2001	
Residence:	City: Cupertino	State: California	Country: USA	Citizenship: India	
Mailing Address:	Street: 10768 Maxine Avenue				
	City: Mountain View	State: California	Country: USA	ZIP: 95014	

Second Joint Inventor					Check here <input type="checkbox"/> if a petition has been signed for this unsigned inventor.
Name:	Given (first and middle, if any): Gopal		Family or Surname: Chillariga		
Inventor's Signature: (Signed as typed above) 				Signature Date: (mm/dd/yyyy) FEB 26, 2001	
Residence:	City: Sunnyvale	State: California	Country: USA	Citizenship: India	
Mailing Address:	Street: 125 Connemara Way, #160				
	City: Sunnyvale	State: California	Country: USA	ZIP: 94087	

Third Joint Inventor		Check here <input type="checkbox"/> if a petition has been signed for this unsigned inventor.		
Name:	Given (first and middle, if any): Ujjal Kumar		Family or Surname: Ghoshtagore	
Inventor's Signature: (Signed as typed above) 			SignatureDate: (mm/dd/yyyy) 2/16/2001	
Residence:	City: Long Beach	State: California	Country: USA	Citizenship: USA
Mailing Address:	Street: 4333 East 2nd Street			
	City: Long Beach	State: California	Country: USA	ZIP: 50803

Fourth Joint Inventor		Check here <input type="checkbox"/> if a petition has been signed for this unsigned inventor.		
Name:	Given (first and middle, if any): Rohit		Family or Surname: Kaushal	
Inventor's Signature: (Signed as typed above) 			SignatureDate: (mm/dd/yyyy) Feb 26 th , 2001	
Residence:	City: Cupertino	State: California	Country: USA	Citizenship: India
Mailing Address:	Street: 20197 Northbrook Square			
	City: Cupertino	State: California	Country: USA	ZIP: 95014

Fifth Joint Inventor Check here <input type="checkbox"/> if a petition has been signed for this unsigned inventor.				
Name:	Given (first and middle, if any): Gerhard Albert		Family or Surname: Koepp	
Inventor's Signature: (Signed as typed above)			SignatureDate: (mm/dd/yyyy) 2/26/01	
Residence:	<i>City:</i> Boulder	<i>State:</i> Colorado	<i>Country:</i> USA	Citizenship: USA
Mailing Address:	<i>Street:</i> 700 Kalmia Avenue			
	<i>City:</i> Boulder	<i>State:</i> Colorado	<i>Country:</i> USA	<i>ZIP:</i> 80304-1738

Sixth Joint Inventor Check here <input type="checkbox"/> if a petition has been signed for this unsigned inventor.				
Name:	Given (first and middle, if any): Lance Kazumi		Family or Surname: Uyehara	
Inventor's Signature: (Signed as typed above)			SignatureDate: (mm/dd/yyyy) 4/9/01	
Residence:	<i>City:</i> San Jose	<i>State:</i> California	<i>Country:</i> USA	Citizenship: USA
Mailing Address:	<i>Street:</i> 1026 Del Cambre Drive			
	<i>City:</i> San Jose	<i>State:</i> California	<i>Country:</i> USA	<i>ZIP:</i> 95129

(Adaptation)


RECORDATION FORM COVER SHEET

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

SUBMISSION TYPE New, Resubmission, Correction	CONVEYANCE TYPE Assignment, License, Merger, Security Agreement, Name Change
New	Assignment

CONVEYING PARTY (IES)	EXECUTION DATE (mm/dd/yyyy)
Name(s): Bhupal Kanaiyalal Dharia; Gopal Chillariga; Ujjal Kumar Ghoshtagore;	02/26/2001; 02/26/2001; 02/26/2001
Rohit Kaushal; Albert Gerhard Koepf; Lance Kazumi Uyehara	02/26/2001; 02/26/2001; 03/16/2001

RECEIVING PARTY	
Name:	mDiversity Inc.
Address:	150 Charcot Avenue, San Jose, California 95131, USA

CORRESPONDENT		
Name/Address	Customer No.	Communication
David E. Lovejoy 4 Embarcadero Ctr., Suite 400 San Francisco, CA 94111-4156	21603 	Tel: (415) 362-3800 Fax: (415) 362-2928 e-mail: del@fdml.com

PAGES	Total number of pages of attached conveyance document including attachments.	# 6
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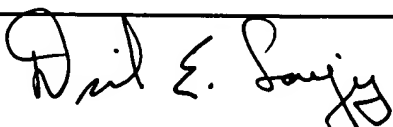
PATENT APPLICATION NUMBER(S)					PATENT NUMBER(S)				
09750592									

If filed with a new Patent application, the date signed by the first executing inventor (mm/dd/yy):

NUMBER OF PROPERTIES	Total number of properties to be recorded:	# 1
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FEE AMOUNT	{{(37 CFR §§ 1.21(h), 3.41) Number of Properties X \$40 =	\$ 40.00
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METHOD OF PAYMENT
<input checked="" type="checkbox"/> Payment Enclosed: Check in the amount of \$40.00.
<input checked="" type="checkbox"/> Deposit Account 06-1325: The Commissioner is authorized to charge any fee (including any fee required under 37 CFR §§1.16, 1.17, 1.18 or otherwise) if no Payment Enclosed, and is authorized to charge any additional fees and credit any over payment associated with this communication to the Deposit Account.

STATEMENT AND SIGNATURE		
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.		
David E. Lovejoy (Reg. No.22,748)		Signature Date: April 11, 2001 ✓

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

Inventor(1)	
Name	Bhupal Kanaiyalal Dharia
Residence Address	10768 Maxine Avenue, Cupertino, California 95014, USA

and

Inventor(2)	
Name	Gopal Chillariga
Residence Address	125 Connemara Way, #160, Sunnyvale, California 94087, USA

and

Inventor(3)	
Name	Ujjal Kumar Ghoshtagore
Residence Address	4333 East 2nd Street, Long Beach, California 90803, USA

and

Inventor(4)	
Name	Rohit Kaushal
Residence Address	20197 Northbrook Square, Cupertino, California 95014, USA

and

Inventor(5)	
Name	Gerhard Albert Koepf
Residence Address	700 Kalmia Avenue, Boulder, Colorado 80304-1738, USA

and

Inventor(6)	
Name	Lance Kazumi Uyehara
Residence Address	1026 Del Cambre Drive, San Jose, California 95129, USA

have invented certain new and useful improvements in:

SYSTEM FOR FAST MACRODIVERSITY SWITCHING IN MOBILE WIRELESS NETWORKS

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

<input checked="" type="checkbox"/> For which the application for United States Patent was filed.	
Filed Date (mm/dd/yyyy):	12/28/2000
SC/Serial Number:	09/750,592

or

<input type="checkbox"/> For which the declaration or oath for the application for United States Patent was executed.	
Execution Date (mm/dd/yyyy):	

WHEREAS, the ASSIGNEE is a corporation which has the Name, is organized and exists under the laws of the State of Incorporation and has a principal Place of Business as follows:

ASSIGNEE	
Name:	mDiversity Inc.
State of Incorporation:	Delaware, U.S.A.
Place of Business:	150 Charcot Avenue, San Jose, California 95131

WHEREAS the ASSIGNEE wants to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

5. Each said Inventor hereby authorizes and requests the Commissioner for Patents to issue any and all of said patents in the United States to said Assignee, for Assignee's full use and enjoyment and for the use and enjoyment of Assignee's legal representatives and assigns, to the full end of the term for which said patents may be granted, as fully and entirely as the same would have been held by said Inventors had this Assignment not been made.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date of acknowledgment before the Notary Public as given below and delivered this instrument to said Assignee.

(1) B.K. Pharia
(Inventor(1)'s Signature)

State of CALIFORNIA

County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MELANIE W. DATTA, Notary Public
(name and title of officer)

personally appeared Bhupal Kanaivala Dharia, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person ~~(s)~~ whose name ~~(s)~~ is/ ~~are~~ subscribed to the within instrument and acknowledged to me that he/ ~~she/they~~ executed the same in his/ ~~her/their~~ authorized capacity ~~(ies)~~, and that by his/ ~~her/their~~ signature ~~(s)~~ on the instrument the person ~~(s)~~, or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Signature Melanie W. Datta



(2) Gopal
(Inventor(2)'s Signature)

State of CALIFORNIA

County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MELANIE W. DATTA, Notary Public
(name and title of officer)

personally appeared Gopal Chillariga, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person ~~(s)~~ whose name ~~(s)~~ is/ ~~are~~ subscribed to the within instrument and acknowledged to me that he/ ~~she/they~~ executed the same in his/ ~~her/their~~ authorized capacity ~~(ies)~~, and that by his/ ~~her/their~~ signature ~~(s)~~ on the instrument the person ~~(s)~~, or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Signature Melanie W. Datta



(3) Ujjal Kumar Ghoshtagore
(Inventor(3)'s Signature)

State of CALIFORNIA
County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MELANIE W. DATTA, Notary Public,
(name and title of officer)

personally appeared Ujjal Kumar Ghoshtagore, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Melanie W. Datta



(4) Rohit Kaushal
(Inventor(4)'s Signature)

State of CALIFORNIA
County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MELANIE W. DATTA, Notary Public,
(name and title of officer)

personally appeared Rohit Kaushal, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Melanie W. Datta



(5) Gerhard Koepf
(Inventor(5)'s Signature)

State of CALIFORNIA
County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MELANIE W. DATTA, Notary Public
(name and title of officer)

personally appeared Gerhard Albert Koepf, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Melanie W. Datta



(6) Lance Kazumi Uyehara
(Inventor(6)'s Signature)

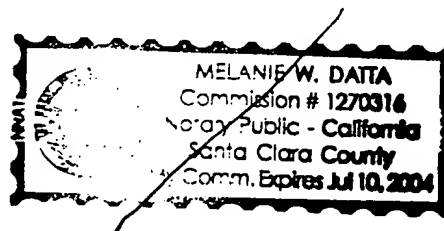
State of CALIFORNIA
County of SANTA CLARA

On MARCH 16, 2001 before me, MELANIE W. DATTA, Notary Public
(name and title of officer)

personally appeared Lance Kazumi Uyehara, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Melanie W. Datta




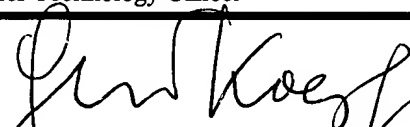


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY (Assignee to Exclusion of Inventor)	Application SC/File No.	09/750,592
	Filing Date	12/28/2000
	First Named Inventor	Bhupal Kanaiyalal Dharia
	Group Art Unit	
	Examiner Name	
	Attorney Docket No.	SPECT1041US0

APPOINTMENT		37CFR§3.71
<input checked="" type="checkbox"/> The below-identified Assignee of record of the entire interest hereby appoints David E. Lovejoy, identified in the CORRESPONDENCE ADDRESS below, as its attorney to prosecute this application and transact all business in the United States Patent & Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and the inventor's(s') attorney(s) in accordance with the provisions of 37CFR§3.71.		
<input checked="" type="checkbox"/> Please direct all correspondence to the CORRESPONDENCE ADDRESS below.		
<input checked="" type="checkbox"/> STATEMENT UNDER 37 CFR. §3.73(b) certifying entire interest attached.		(sb96)
<input checked="" type="checkbox"/> Small Entity Claim Made for Assignee.		(z_del-sm_entityCFR)

CORRESPONDENCE ADDRESS		
Name/Reg. No./Address	Customer No.	Communication
David E. Lovejoy (Reg. No.:22,748) 4 Embarcadero Ctr., Suite 400 San Francisco, CA 94111-4156	21603 	Tel: (415) 362-3800 Fax: (415) 362-2928 e-mail:del@fdml.com

SIGNATURE OF ASSIGNEE OF RECORD	
Assignee Name:	mDiversity Inc.
Assignee Type (Corporation, Partnership, ...):	a Delaware Corporation
Name Of Signor (type or print):	Gerhard Albert Koepf
Signor's Title (Corporate Office or Position):	Chief Technology Officer
Signature Date: 2/26/01	Signature: 

3.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATEMENT UNDER 37 CFR 3.73(b) (Filed With sb81, POA)	Patent/Application SC/File No.	09/750,592
	Issuing/Filing Date	12/28/2000
	First Named Inventor	Bhupal Kanaiyalal Dharia
	Group Art Unit	
	Examiner Name	
	Attorney Docket No.	SPECT1041US0

STATEMENT	
The below-identified Assignee of record states that it is:	
<input checked="" type="checkbox"/> 1.	The assignee of the entire right, title, and interest; or
<input type="checkbox"/> 2.	An assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is _____%
in the patent application/patent identified above by virtue of:	

A. <input checked="" type="checkbox"/> Assignment Directly From Inventor(s) of patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame __/__, Number Of Pages__, or for which a copy thereof is attached.

AUTHORITY
The undersigned (whose title is supplied below) is authorized to act on behalf of and sign this certification on behalf of the Assignee.

SIGNATURE OF ASSIGNEE OF RECORD	
Assignee Name:	mDiversity Inc.
Assignee Type (Corporation, Partnership, ...):	a Delaware Corporation
Name Of Signor (type or print):	Gerhard Albert Koepf
Signor's Title (Corporate Office or Position):	Chief Technology Officer
Signature Date: 2/26/01	Signature: